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Special Counsel to Richard A. Marshack, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re:

THE LITIGATION PRACTICE GROUP P.C.,

Debtor.

OHP-CDR, LP, a Texas Limited Partnership, and
PURCHASECO 80, LLC, a Delaware Limited
Liability Company,

Plaintiffs.

v.

RICHARD A. MARSHACK, Chapter 11 Trustee,
and AZZURE CAPITAL, LLC, a New York
Limited Liability Company,

Defendants.

Case No.: 8:23-bk-10571-SC

Adv. Proc. No. 8:23-ap-01098-SC

Chapter 11

**REQUEST FOR JUDICIAL NOTICE OF
ACTIONS OF STATE BAR OF
CALIFORNIA IN SUPPORT OF
TRUSTEE'S REPLY TO OPPOSITION OF
PLAINTIFFS' TO TRUSTEE'S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

Date: July 31, 2024

Time: 11:00 a.m.

Judge: Hon. Scott C. Clarkson

Place: Courtroom 5C

411 West Fourth Street
Santa Ana, California 92701

1 RICHARD A. MARSHACK,
2 Chapter 11 Trustee,

3 Counterclaimant.

4 v.

5 OHP-CDR, LP fka OHP-LPG, LP, a Texas
6 Limited Partnership, and PURCHASECO80,
7 LLC, a Delaware Limited Liability Company,

8 Counterdefendants.
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1 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY**
2 **JUDGE:**

3 In support of *Trustee's Reply to Opposition of Plaintiffs to Trustee's Motion for Partial*
4 *Summary Judgment on Count Two of Trustee's Counterclaim Against OHP-CDR, LP*, Defendant
5 and Third Party Plaintiff Richard A. Marshack, the Chapter 11 Trustee for the bankruptcy estate of
6 The Litigation Practice Group P.C. ("Debtor") in the above-captioned adversary proceeding, hereby
7 respectfully requests that the Court take judicial notice of the following facts pursuant to Rule 201
8 of the Federal Rules of Evidence:

9 1. On or about February 23, 2024, the State Bar of California filed a Notice of
10 Disciplinary Charges ("Notice") against Attorney Daniel March (Case No. SBC-24-O-30054)
11 regarding his time as "CEO, president, treasurer, sole board member, sole shareholder, and
12 managing partner" of the Debtor. Copies of disciplinary proceedings of the State Bar of California
13 are available to the public on their website. A true and accurate copy of the Notice is attached hereto
14 as **Exhibit A**.

15 2. On July 1, 2024, the State Bar Court of California entered an Order Entering Default
16 and Order Enrolling Inactive (Rule 5.80 – Failure to Timely Response) against Daniel March
17 ("Order"). Pursuant to the Order, all facts alleged in the Notice have been deemed admitted due to
18 the default of Mr. March. A true and accurate copy of the Order is attached hereto as **Exhibit B**.

19
20 Dated: July 17, 2024

Respectfully submitted,

21 DINSMORE & SHOHL LLP

22
23 By: /s/ Tyler Powell

24 Tyler Powell [pro hac vice]

Christopher Celentino

25 Yosina M. Lissebeck

26 Special Counsel to Richard A. Marshack,
27 Chapter 11 Trustee for the Bankruptcy Estate of
28 The Litigation Practice Group P.C.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

DINSMORE & SHOHL LLP
100 West Main Street, Suite 900
Lexington, Kentucky 40507

A true and correct copy of the foregoing document entitled (*specify*): **DEFENDANT TRUSTEE'S REQUEST FOR JUDICIAL NOTICE OF ACTIONS OF STATE BAR OF CALIFORNIA IN SUPPORT OF TRUSTEE'S REPLY TO OPPOSITION OF PLAINTIFFS' TO TRUSTEE'S MOTION FOR PARTIAL SUMMARY JUDGMENT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **July 17, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

Bradford Barnhardt on behalf of Interested Party Courtesy NEF
bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com

D Edward Hays on behalf of Interested Party Courtesy NEF
ehays@marshackhays.com,
ehays@ecf.courtdrive.com; alinares@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com

Razmig Izakelian on behalf of Counter-Defendant OHP-CDR, LP
razmigizakelian@quinnemanuel.com

Razmig Izakelian on behalf of Counter-Defendant PurchaseCo 80, LLC
razmigizakelian@quinnemanuel.com

Razmig Izakelian on behalf of Plaintiff OHP-CDR, LP
razmigizakelian@quinnemanuel.com

Razmig Izakelian on behalf of Plaintiff PurchaseCo 80, LLC
razmigizakelian@quinnemanuel.com

Yosina M Lissebeck on behalf of Counter-Claimant Richard A. Marshack
Yosina.Lissebeck@Dinsmore.com, caron.burke@dinsmore.com

Yosina M Lissebeck on behalf of Defendant Richard A. Marshack

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Yosina.Lissebeck@Dinsmore.com, caron.burke@dinsmore.com
Richard A Marshack (TR)
pkraus@marshackhays.com, ecf.alert+Marshack@titlexi.com

Laila Masud on behalf of Counter-Claimant Richard A. Marshack
lmassud@marshackhays.com,
lmassud@ecf.courtdrive.com; lbuchanan@marshackhays.com; alinares@ecf.courtdrive.com

Tyler Powell on behalf of Counter-Claimant Richard A Marshack (TR)
tyler.powell@dinsmore.com, jennifer.pitcock@dinsmore.com; rosetta.mitchell@dinsmore.com

Tyler Powell on behalf of Trustee Richard A Marshack (TR)
tyler.powell@dinsmore.com, jennifer.pitcock@dinsmore.com; rosetta.mitchell@dinsmore.com

Ronald N Richards on behalf of Interested Party Courtesy NEF
ron@ronaldrichards.com, 7206828420@filings.docketbird.com

United States Trustee (SA)
ustregion16.sa.ecf@usdoj.gov

Sharon Z. Weiss on behalf of Defendant Azzure Capital LLC
sharon.weiss@bclplaw.com, raul.morales@bclplaw.com, REC_KM_ECF_SMO@bclplaw.com

2. SERVED BY UNITED STATES MAIL:

On _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **July 17, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

Hon. Scott Clarkson
US Bankruptcy Court, Central District of California
411 W. Fourth Street, Suite 5130/Courtroom 5C
Santa Ana, California 92701

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 17, 2024 Tyler Powell /s/ Tyler Powell

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.